

Honorable Julius Genachowski, Chairman  
Commissioner Michael J. Copps  
Commissioner Robert M. McDowell  
Commissioner Mignon Clyburn  
Commissioner Meredith Attwell Baker  
Federal Communications Commission  
445 Twelfth Street SW  
Washington, DC 20554

Re: CG Docket Nos. 03-123 and 10-51

Dear Chairman Genachowski and Commissioners Copps, McDowell, Clyburn, and Baker,

I am a certified sign language interpreter, and for the past 23 years, I have had the honor of serving the deaf and hard-of-hearing communities by facilitating communication. The advent of Video Relay Service has revolutionized the lives of the clients it serves, removing barriers, building relationships, and improving the efficiency and accuracy of communication between deaf and hearing individuals. Four years ago, I became an employee of Sorenson Communications, first as an interpreter (or CA), and later as a call center manager. This is the most rewarding, challenging, and exciting job I have ever had. As an employee of a Video Relay Service (VRS) provider, I have seen first-hand that this life-altering broadband service is a vital link that connects deaf people to the hearing community.

I was deeply disturbed to see the Commission's recent Public Notice on VRS rates. These proposals, if adopted by the Commission, would have devastating and far-reaching effects on the VRS industry, the employees who work within it, and the customers it serves. I am astounded that the Commission would even consider a proposal to slash reimbursement rates by almost 40% for a company that has repeatedly demonstrated sound management practices governed by honest and ethical principles. My employer has already informed me that if these proposed rates are adopted, our company would be forced into bankruptcy. I am further puzzled by a proposal that would lead to the financial ruin of a company that has been overwhelmingly chosen by deaf consumers, thereby limiting the freedom of choice of a population that the Commission is duty-bound to protect under the Americans with Disabilities Act. In the event that another VRS provider could immediately support Sorenson's current client base, it is doubtful that it would be willing to do so at the rate proposed by the current tiered structure. This would be disastrous for deaf VRS users and would put an end to VRS as we know it.

Ensuring that deaf individuals have access to VRS and encouraging improvements in VRS should be a high priority for you as Chairman and Commissioners of the Federal Communications Commission (FCC). The Americans with Disabilities Act (ADA) requires the FCC to make available to all deaf

individuals nationwide ?functionally-equivalent? communications. You will soon determine the future of VRS. When you set the VRS rate, you will determine whether America makes progress toward the statutory goals of functional equivalence, nationwide access and inclusion, or whether deaf users will be forced to revert to TTY communications, and the laborious and challenging process of communicating in a language other than their native signed language. Progress towards functional equivalence will be halted if the FCC does not encourage VRS providers to improve the service and make it more widely available.

VRS is a recent and dramatic advancement that benefits those who are deaf, but it has not yet reached its full potential. There is so much more that can and must be done. It would be tragic if the FCC were to limit or eliminate a service that is so vital to the deaf. Instead of cutting the reimbursement rate used to drive these efforts, the FCC should be increasing the availability and use of VRS. Recent developments in the industry are a good example of how the service can be improved, such as enhanced 911 services, 10-digit numbering, a larger and better-trained pool of interpreters, and better videophones with an array of enhanced features. Continued enhancements are possible only if you adopt a rate that encourages and supports these ongoing efforts to improve VRS technology and service levels. These enhancements will not be possible if the proposed rate is adopted.

In addition to funding rates that support ongoing improvements in the industry, attention should also be focused on exploring ways to make broadband service more affordable so that it is accessible to a wider audience of deaf and hard-of-hearing individuals who currently find the monthly service fees prohibitive.

Finally, recent reports of fraud in the VRS industry are disturbing to me, both as an interpreter who adheres to a code of professional conduct, and as an employee of a company that has operated within current FCC guidelines and has worked to maintain the integrity of the VRS fund. I am sickened by the crimes allegedly perpetrated by people I considered colleagues, and I urge you as a Commission to devote more of your time and energy to the elimination of fraud in the industry.

With more than 20 years of professional experience and a solid ethical reputation behind my name, I am confident that I can work anywhere I choose should my employer be forced into bankruptcy. However, I feel that it is important for you to understand that I choose to work at Sorenson Communications. No other company, agency, or organization has ever earned my loyalty and respect the way that Sorenson Communications has. It is a company of integrity, a company that exhibits honesty and ethics in its operations. I believe in its mission and its vision. It challenges me to be the best that I can be, and to provide the best service to our customer base. I have a professional reputation of refusing to work with companies that I consider dishonest, unethical, or unprofessional. I have never once been ashamed of my association with Sorenson Communications. On the contrary, I am extremely proud to be an employee of this fine company. Just as I have chosen

Sorenson, so has an overwhelming majority of the customer base served by the entire VRS industry. I beg of you not to limit our choice. Freedom of choice is one of the benefits of living in a great country like the United States of America, and I appeal to you not to take that benefit from all of us who have chosen Sorenson Communications.

In closing, I would like to reiterate the following points:

? The rates for VRS proposed by the Federal Communications Commission (FCC) in its April 30 Public Notice are so low that it would be the end of VRS as we know it today as no provider would seek to provide VRS at the low rates proposed by the FCC.

? VRS and the improvements made to it over the years have moved us closer to the goal of functional equivalence mandated by the Americans with Disabilities Act. The FCC rate proposal would destroy that progress and move us further from achieving the goals of the ADA.

? My employer has informed me that this rate proposal, if adopted, would lead our company into bankruptcy, leaving our deaf customers without the vital VRS service they have come to expect.

? This proposal, if adopted, would almost certainly mean that my job and countless others would be in jeopardy in an economy where finding a new job would be extremely difficult, if not impossible.

I urge you to eliminate the tiered system currently proposed and establish a single fair and predictable multi-year rate for all VRS providers that will encourage them to invest in improving VRS and reaching more deaf individuals. At Sorenson Communications, one of our guiding principles is, Always take the high road.? I appeal to you to do the same. Not only does the law require it, but it is the right thing to do.

Respectfully submitted,

Kimberly C. Diez, CI and CT  
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Sorenson VRS Manager/Trainer  
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